INVESTIGATIVE SUMMARY
USE OF FORCE
TYPE: DEPUTY INVOLVED SHOOTING-HIT
I.A.B. FILE NUMBER: SH 2138482
URN: 005-01190-0299-056

On Monday, January 31, 2005, Sergeants Richard Smith and John Harris, along with Lieutenant Curtis Jensen of the Internal Affairs Bureau responded to [redacted], regarding a Deputy Involved Shooting involving East Los Angeles Station personnel. Lieutenant Gil Carrillo, Sergeant Tim Miley and Detective Joe Sheehy from Homicide Bureau were on scene to conduct the criminal investigation.

The summary of this incident is based on physical evidence collected at the scene by Los Angeles Sheriff's Department Crime Lab personnel as well as information obtained from interviews of the involved employees and witnesses, whose individual statements are contained in the Homicide Bureau case package **(refer Exhibit A)**.

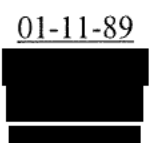
INVOLVED PERSONNEL:

Deputy Glenn Spruil, #[redacted]	MW/44	5'10"/175LBS

EMPLOYEE WORK HISTORY

<u>**SPRUIL,**</u> Glenn

Date of Employment	<u>01-11-89</u>
Date Assigned to Patrol	[redacted]
Date Completed Patrol Training	[redacted]
Prior Founded Force Incidents	[redacted]



SUSPECT

Ruben SiFuentes, BK#8441355	MH/30	5'07"/190LBS

Suspect SiFuentes has a varied criminal history [redacted] **(refer Exhibit C)**.

WITNESSES

Deputy Richard Esquer, #[redacted]	East Los Angeles Station	(323)264-4151
Deputy Robert Armes, #[redacted]	East Los Angeles Station	(323)264-4151
[redacted], MH/48	[redacted]	[redacted]
[redacted], MH/56	[redacted]	[redacted]



[redacted], FH/76
[redacted], FH/32
[redacted], MH/22
[redacted], MH/57
[redacted], FH/18
[redacted], FH/72
[redacted], FH/34
[redacted], MH/23
[redacted], FH/27
[redacted], FH/29
[redacted], MW?56

[redacted]

INJURIES

Suspect SiFuentes received one gun shot wound to his right clavicle.

PHYSICAL EVIDENCE

One Machette, 27" long with an overall blade of 21 ½ inches.
One 14 inch kitchen knife with an overall blade of 8" with bloodstain on the blade.

INVESTIGATOR OBSERVATIONS:

The table that Deputies Spruil, Armes and Esquer were seated at is a large circular table next to a large window on one side and a door leading to the south parking lot of the location. The deputies' location provided excellent sight lines to anyone approaching their table.

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Spruil used a Department issued Beretta, Ser#[redacted], 9MM handgun, firing one round of Department issued 9MM ammunition **(refer Exhibit I)**.

WEAPONS USED BY SUSPECTS

Suspect SiFuentes struck Deputy Armes with a 2 ½ foot machete **(refer Exhibit H)**.

PROPERTY DAMAGE:

NONE

CRIMINAL INVESTIGATOR AND CHARGES FILED:

Homicide Bureau Sergeant Tim Miley, #[redacted]
Homicide Bureau Detective Joe Sheehy, #[redacted]

One count of Attempt Murder, 187(A) P.C., one count of Mayhem, 205 P.C., and one count of Assault with a Deadly Weapon on a Peace Officer were filed on Suspect SiFuentes.

LIGHTING OR WEATHER CONDITIONS:

This incident occurred during daylight hours inside an open restaurant which had uncovered windows, allowing day light inside, at the site of the incident.

INVOLVED EMPLOYEE STATEMENT:

Deputy Glenn Spruil, #[redacted]

Deputy Spruil said that on the day of the incident he was assigned as the court deputy along with Deputy Esquer. He was wearing plain clothes and had his duty weapon on his dress belt.

Deputy Spruil said that he and Deputy Esquer, in plain clothes, were picked up by Deputy Armes, wearing a Sheriff's Class A uniform and driven to the location, Astro Burger. They ordered their food and took seats in a circular booth in the southwest corner of the location. Deputy Spruil said that he was seated in the middle facing the interior of the location, with Deputy Armes to his right facing west and Deputy Esquer to his left facing south.

Deputy Spruil said that while they were eating, a male Hispanic, later identified as Suspect SiFuentes, entered the location by the front door on the north side of the location. As he continued eating he saw Suspect SiFuentes approximately three booths from their table and walking rapidly toward them. When Suspect SiFuentes came within three feet of Deputy Armes, Deputy Spruil said that he appeared to have a bead on Deputy Armes and had his hands behind his back. He saw Suspect SiFuentes bring his right hand, holding a machete, up above his head in a striking position. He yelled, "Look out Bob," at which time Deputy Armes brought his hand up in a defensive posture as Suspect SiFuentes brought the machete down, striking Deputy Armes in the hand.

Deputy Spruil said that at that point he stood up and drew his duty weapon. As he aimed his weapon at Suspect SiFuentes, he yelled "Get back." He saw Suspect SiFuentes raise the machete above his head and advance on Deputy Armes who was under the table. Fearing for Deputy Armes life, he fired one round from his duty weapon, striking Suspect SiFuentes. Suspect SiFuentes fell to the floor and he retrieved the machete from where Suspect SiFuentes had dropped it. He gave the machete to Deputy Esquer and conducted a search of Suspect SiFuentes

for additional weapons. During the search he found an additional knife in Suspect SiFuentes' left rear pocket which he removed. He then handcuffed Suspect SiFuentes.

WITNESSES STATEMENTS:

Deputy Robert Armes, #[redacted]

Based on Deputy Armes' injuries and that he was still off on IOD status in continuing rehabilitation, as well as the video disc of the incident, he was not interviewed regarding this incident.

Deputy Richard Esquer, #[redacted]

Deputy Esquer stated that Deputy Armes had driven Deputy Spruil and him to the location, Astro Burger, for lunch. After ordering their food they took a booth in the southwest corner of the location. Deputy Spruil took a seat in the middle facing the front of the location, he took a seat facing south toward the rear door and Deputy Armes took a seat to the left of Deputy Spruil facing west **(refer Exhibit G)**.

Deputy Esquer said that while they were eating, a male Hispanic, later identified as Suspect SiFuentes, entered the location from the front of the restaurant located on Beverly Blvd. Suspect SiFuentes immediately walked to the rear of the restaurant where the deputies were seated. When Suspect SiFuentes reached the deputies' table, without provocation, he swung a large machete at the head of Deputy Armes. Deputy Esquer heard Deputy Spruil yell to Deputy Armes "watch out Bob." Deputy Armes quickly looked in the direction of Suspect SiFuentes and simultaneously raised his right arm to deflect the machete.

Deputy Esquer said that the machete struck Deputy Armes in the area of his fingers, which deflected the machete away from his head. Deputy Spruil stood up, drew his duty weapon, pointed it at Suspect SiFuentes and ordered Suspect SiFuentes to step back. Suspect SiFuentes did not comply, but rather raised the machete over his head in what appeared to be another attempt to strike the Deputy Armes with the machete. As Deputy Armes took cover under the table, Deputy Spruil fired one round at Suspect SiFuentes, striking him in the upper torso, causing Suspect SiFuentes to fall to the floor.

Deputy Esquer said that he immediately left the booth to assist Deputy Armes, who was sitting on the floor bleeding from his right hand. Deputy Esquer retrieved a pair of handcuffs from Deputy Armes' Sam Brown gun belt and gave them to Deputy Spruil. Deputy Spruil handcuffed Suspect SiFuentes, searched him and found a second knife in the left rear pants pocket of Suspecct SiFuentes. Deputy Esquer said that he then utilized Deputy Armes' radio and called for assistance.

[redacted]

Witness [redacted] said that he had driven to the location with a co-worker to get lunch. When they arrived he parked in the south parking lot of the location, directly in front of the rear door on the south wall of the location **(refer Exhibit F)**. He said his co-worker went inside to get their food while he waited outside the rear door in his vehicle. While he was waiting, he saw a blue or gray vehicle enter the parking lot at a high rate of speed. The vehicle sped through the parking lot and parked on the east side of the location.

Witness [redacted] said a male Hispanic, later identified as Suspect SiFuentes, wearing a light colored tee shirt immediately exited the vehicle and walked to the rear of his vehicle. Suspect SiFuentes opened the trunk of the vehicle and began rummaging inside. Witness [redacted] said that he did not see Suspect SiFuentes take anything out of the trunk. Suspect SiFuentes walked away from his vehicle and looked directly at Witness [redacted].

Witness [redacted] said that a couple of minutes later, through the rear glass door of the location, he saw Suspect SiFuentes walking toward the rear door. He watched as Suspect SiFuentes reached under his shirt and removed a machete. Suspect SiFuentes approached the booth next to the rear door and swing the machete in a striking motion. As Suspect SiFuentes began to take a second swing he [redacted] heard one gun shot, and Suspect SiFuentes fell to the floor. He exited his vehicle and walked to the rear door, where he saw an injured Sheriff's Deputy sitting on the floor and heard one of the deputies saying, "Why did you do that?" or, "How come you did that?"

[redacted]

Witness [redacted] said that he and his mother, Witness [redacted], were inside the location eating lunch. He was facing the front of the location and Witness [redacted] faced toward the rear. He said as they were eating he heard someone behind him yelling. He turned and saw a male Hispanic, later identified as Suspect SiFuentes, standing near the rear door of the location, adjacent to the booth where the deputies were seated.

Witness [redacted] said that Suspect SiFuentes was holding a two to three foot machete in his hand. The deputy seated closest to Suspect SiFuentes was bleeding from his hand. Suspect SiFuentes then swung the machete toward the Deputy, at which time he heard one gun shot. Suspect SiFuentes fell to the floor and the machete landed next to him [redacted]. Suspect SiFuentes was restrained by the deputies and handcuffed.

[redacted]

Witness [redacted] said that she was seated in the location facing south toward the rear door. She said that she saw a male Hispanic, later identified as Suspect SiFuentes, wearing a white tee shirt, fall to the floor near the rear door. She said that she did not see or hear any argument or disturbance. She said that she is hard of hearing and usually wears glasses which she was not

wearing at the time of the incident.

[redacted]

Witness [redacted], an employee at the location, said that she was working behind the counter when she saw a male Hispanic, later identified as Suspect SiFuentes, wearing a white tee shirt with red on the shoulders, enter the location through the front doors **(refer Exhibit D & E)**. Suspect SiFuentes walked quickly past the front counter toward the rear of the location. Moments later she heard one gun shot.

[redacted]

Witness [redacted], an employee at the location, said that he was working behind the counter when he heard a pop, which he described as "the sound of a light bulb exploding, but louder." He said that he did not hear any yelling prior to the shooting and he did not see the shooting.

[redacted]

Witness [redacted] said that he was standing at the display counter, approximately ten to fifteen feet from where the incident took place, when he heard someone say, "Hey." He turned around and saw a male Hispanic, later identified as Suspect SiFuentes, holding what appeared to be a stick over his head. At this point he saw a uniformed deputy sitting with two other individuals in civilian clothes, who he believed were also policemen.

Witness [redacted] said that Suspect SiFuentes was approximately one foot from the uniformed deputy when he saw one of the other policemen pull his gun. The uniformed deputy had his hand up as if he was blocking a blow that was about to be struck. The policeman with his gun out then fired one round at Suspect SiFuentes. Suspect SiFuentes fell to the floor and he saw the uniformed deputy was under the table and his hand was bleeding.

[redacted]

Witness [redacted] said that she was sitting in a booth near the front of the location when she saw a male Hispanic, later identified as Suspect SiFuentes, enter the location and walk quickly south through the location, stopping at the rear table. She said there were three policemen sitting at this table, one of whom was wearing a uniform and had his back slightly toward the Suspect SiFuentes.

Witness [redacted] said that as Suspect SiFuentes approached the deputies, he raised his hand which was holding a knife. One of the officers in plain clothes yelled, "Look out," then she heard the knife hit the seat in the booth where the uniformed deputy was sitting. She then heard a popping sound which may have been a gunshot and saw that one of the plainclothes policemen had his gun out. Suspect SiFuentes immediately fell to the floor and the plainclothes policeman

went over and checked on Suspect SiFuentes condition.

[redacted]

Witness [redacted] said that she was at the location ordering food when she saw a male Hispanic enter through the front door. The male Hispanic, later identified as Suspect SiFuentes, walked south through the location to the rear out of her view. She did not see or hear any of the incident.

[redacted]

Witness [redacted], an employee at the location, said that she was at the cash register on the front counter when she heard one gun shot. She then ran to the kitchen area and did not see or hear anything else.

[redacted]

Witness [redacted], an employee at the location, said that he was in the restaurant warehouse area of the location when he heard what sounded like a gun shot. He walked to the front counter and saw a police officer on the floor next to a table and his hand was bleeding.

[redacted]

Witness [redacted] said that she was standing at the front counter of the location when she saw a male Hispanic, later identified as Suspect SiFuentes, enter the location through the front door. Suspect SiFuentes walked toward the rear of the location where she had seen three deputies sitting when she had entered. She heard a loud noise come from the rear of the location and looked in that direction. She saw a uniformed deputy kneeling on the floor and his hand was bleeding. She also saw Suspect SiFuentes laying on the floor near the deputy and a large machete also laying on the floor.

[redacted]

Witness [redacted], an employee at the location, said that she was at the front counter when she heard a loud noise coming from the rear of the location and saw several customers running towards the front entrance to the location. She looked toward the rear and saw a uniformed deputy bleeding from his hand.

[redacted]

Witness [redacted] said that he was seated in a booth adjacent to where the deputies were sitting. He saw a person walk past him carrying a large object in his right hand which he said resembled a baseball bat or stick. One of the deputies yelled something that he did not understand and then he heard one gun shot. He looked around and saw the uniformed deputy bleeding from his left

hand. He saw a man laying on the floor and a large machete was laying near his foot.

SUSPECT STATEMENTS:

Suspect Ruben SiFuentes, BK#8441355

Suspect SiFuentes initially said that he did not remember what happened or why he had been shot. He then said that he had gone to the location to use the restroom which is located is next to where the deputies were seated. He said that Deputy Armes called him a wet-back which made him angry.

Suspect SiFuentes said that he went to his vehicle which was in the parking lot, retrieved his machete and returned to the restaurant. He said he went directly to where Deputy Armes was sitting and swung the machete at him. He was then shot by one of the other deputies. He said that he had consumed four 24 oz. beers prior to the incident.

> **I.A.B. Note:** A security tape of the location revealed that the only time Suspect SiFuentes entered the location was when he assaulted Deputy Armes.